

ORDINANCE No. 2007-17-123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE 2005-02-40, ENTITLED RULES AND PROCEDURES FOR COMMITTEES AND NON-STATUTORY BOARDS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, from time to time the City Council establishes committees and non-statutory boards to advise to the City Council on various matters, and

WHEREAS, the City Council deems it prudent to establish certain rules and procedures for committees and non-statutory boards,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. APPOINTMENT: The Mayor and each member of the City Council shall have the right to appoint a member to all standing committees and non-statutory boards. The appointment of all members shall be confirmed by the City Council. Each committee and non-statutory board member shall serve at the pleasure of the Mayor or City Council member appointing such member, respectively. Multiple members of the same household shall not serve on the same board simultaneously.

SECTION 3. TERMS OF OFFICE: Unless otherwise stated in the resolution establishing the committee or non-statutory board, or unless a member is removed as provided for

in Section 6, the terms of all committee and non-statutory board members shall commence upon appointment, and shall be for a one-year period. Members shall continue to serve beyond the 1-year term until a replacement is confirmed by the Council. Members may serve a maximum of two consecutive 1-year terms. Members who have previously served on a board may be reappointed to that board after a period of one year from the last date of service on the board. Nothing shall prohibit a member of a board from applying to membership to a different board.

SECTION 4. Members shall be limited to serving on a maximum of two standing non-statutory boards simultaneously.

SECTION 5. All members previously appointed prior to January 1, 2007 shall come up for reconsideration no later than February 1, 2008. Changes to their terms and status shall take effect at that time.

SECTION 6. REMOVAL: The Mayor or Council member appointing a committee or non-statutory board member, shall have the continuing right to remove the member so appointed and to appoint another member as often as the Mayor or appointing Council member shall deem it appropriate in order to facilitate the business of the non-statutory board or committee. Upon such removal or appointment, the same shall be deemed effective upon confirmation of the removal or appointment by the City Council, which shall be deemed a purely ministerial act.

SECTION 7. EXPENSES: Unless otherwise stated in the resolution establishing the committee or non-statutory board, each member shall serve without salary or compensation.

SECTION 8. DISCLOSURES: Each applicant for appointment to a committee or non-statutory board, shall, as a prerequisite to consideration, file an application on a form to be provided by the City Clerk, and present a voter's registration card and State of Florida Driver's

License or current State of Florida Identification Card. In those situations where committee and non-statutory board appointments are made at the discretion of the Mayor or a member of the City Council, from the dais, such non-statutory board or committee members shall comply with the application procedures set forth herein, within thirty (30) days of the appointment, or the appointment shall be deemed null and void.

SECTION 9. ATTENDANCE: All committee and non-statutory board members are required to attend the meetings in person. Any committee or non-statutory board member who fails to attend two (2) consecutive regular meetings of applicable committee or non-statutory board, without being excused by the chairperson, shall be subject to dismissal by the Mayor or Council member who appointed the member, respectively. The chairperson may excuse members from attendance for the following reasons: work conflict, personal or family illness or death. The chairperson shall not excuse any member for more than three (3) meetings in any calendar year.

SECTION 10. ELECTION OF OFFICERS: As soon as practicable, after the first appointments of members, and on an annual basis thereafter, members shall meet and elect three (3) of their members, one to serve as chairperson, one to serve as vice-chairperson, and one to serve as secretary. The vice-chairperson, shall chair meetings in the absence of the chairperson.

SECTION 11. BYLAWS, RULES AND REGULATIONS: Robert's Rules of Order shall govern all meetings of committees and non-statutory boards.

SECTION 12. MEETINGS: At the first regular meeting of each non-statutory board or committee, a regular meeting date, location and time, shall be established and the non-statutory board or committee shall thereafter meet on at least a monthly basis. In addition, the chairperson, shall have the right to call meetings. Minutes and records shall be kept of all meetings,

and all meetings shall be public. The City Clerk shall be informed in advance of all regular meeting dates and special meeting dates.

SECTION 13. QUORUM: The presence of a majority of the committee or non-statutory board members shall constitute a quorum.

SECTION 14. REPORTING: Each non-statutory board and committee shall advise and make recommendations to the City Council by written memoranda, on at least a bi-monthly basis. In addition, on the first day of January, April, July and October of each year, or more frequently as deemed necessary by the City Council, each non-statutory board and committee shall provide a written report to the City Council, outlining all major accomplishments and tasks of the non-statutory board or committee. Each report shall also include an attendance report for all members including excused absences and the basis thereof.

At the meeting of the City Council where the recommendations and/or written memoranda of a non-statutory board or committee are to be presented and considered, the non-statutory board or committee shall cause one of its members to appear for the City Council meeting.

SECTION 15. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 16. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

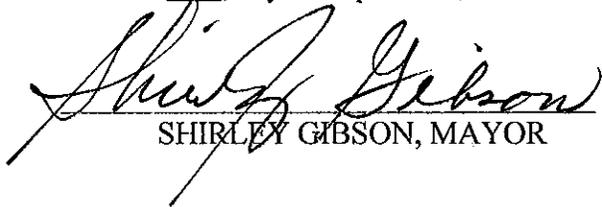
SECTION 17. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the

Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

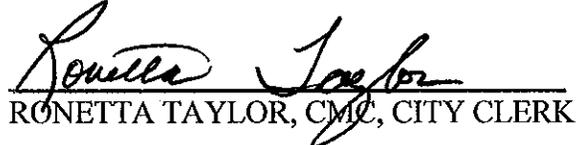
SECTION 18. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 12<sup>th</sup> DAY OF September, 2007.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 25<sup>th</sup>, day of September, 2007.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.  
City Attorney

SPONSORED BY: Councilman Aaron Campbell, Jr.

MOVED BY: Councilman Campbell  
SECONDED BY: Vice Mayor Watson

VOTE: 6-0

Mayor Shirley Gibson	<u>x</u> (Yes)	___ (No)
Vice Mayor Barbara Watson	<u>x</u> (Yes)	___ (No)
Councilman Melvin L. Bratton	<u>x</u> (Yes)	___ (No)

Councilman Oscar Braynon, II  
Councilman Aaron Campbell Jr.  
Councilwoman Sharon Pritchett  
Councilman Andre Williams

\_\_\_(Yes) \_\_\_(No) Out of town  
x\_\_\_(Yes) \_\_\_(No)  
x\_\_\_(Yes) \_\_\_(No)  
x\_\_\_(Yes) \_\_\_(No)